

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 08, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN JAMES MORALES,

Defendant.

No. 4:21-CR-06038-SAB-2

ORDER GRANTING IN PART AND
DENYING DEFENDANT'S
MOTION TO MODIFY
CONDITIONS OF RELEASE AND
MODIFYING CONDITIONS OF
RELEASE

ECF No. 97

On Monday, February 07, 2022, the Court held a hearing on Defendant's Motion to Modify Conditions of Release (ECF No. 97). Defendant appeared and was represented by court-appointed counsel, Ricardo Hernandez. Assistant United States Attorney Caitlin Baunsgard represented the United States.

Defendant requests that the Court modify Special Conditions No. 10 and 11, which impose a curfew restricting the Defendant to his approved residence every day from 9:00 PM to 6:00 AM and prohibits Defendant from returning to the home in which he was arrested in the instant matter. *See* ECF No. 76 at 8. Specifically, Defendant requests permission to return to the home at which he was arrested during non-curfew hours and to extend his curfew to 10:00 P.M. The United

1 States did not oppose the curfew extension but opposed the request to allow
2 Defendant extended time at the residence of arrest, noting the evidence of criminal
3 activity discovered at the time of the search of the residence. Defendant noted that
4 he has been compliant while on pretrial release since November 2021.

5 For the reasons set forth herein and orally on the record,

6 **IT IS ORDERED:**

7 1. Defendant's Motion to Modify Conditions of Release (**ECF No. 97**) is
8 **GRANTED IN PART and DENIED IN PART.**

9 2. **Special Condition No. 10** (ECF No. 76) is **MODIFIED** to read as
10 follows:

11 Curfew: Defendant shall be restricted to Defendant's approved residence
12 every day from 10:00 PM to 6:00 AM unless given permission by the United
States Probation/Pretrial Services Office.

13 3. **Special Condition No. 11** (ECF No. 76) is **MODIFIED** to read as
14 follows:

15 Defendant may return to the home at which he was arrested in the instant
16 matter on the approved schedule as determined by United States
Probation/Pretrial Services Office, for the purpose of performing the
17 requested work, and spending time with his fiancé two evenings per week.

18 DATED February 8, 2022.

19 s/James P. Hutton
JAMES P. HUTTON
20 UNITED STATES MAGISTRATE JUDGE